



2. As a United States Postal Inspector, I investigate offenses that adversely affect the United States mail, and have gained experience investigating identity theft, fraud, and robberies targeting postal employees.

3. The facts and information contained in this affidavit are based upon my training and experience, personal knowledge, and observations during the course of this investigation, as well as the observations of other agents involved in this investigation. This affidavit contains information necessary to support probable cause, and it is not intended to include each and every fact and matter known to me or known to the government.

#### **Background of Investigation**

4. On October 22, 2019, officers from the Fairfax County Police Department (“FCPD”) responded to 1281 Serenity Woods Lane, Vienna, Virginia, 22182 (“1281 Serenity Woods Lane”), for a reported unlawful entry at the single-family residence which was listed for sale. Two individuals who initially identified themselves as Elliott Gray (“E.G.”) and Nancy Ness (“N.N.”) were unlawfully occupying the residence, having surreptitiously moved into the home. The individuals who claimed to be E.G. and N.N were eventually identified by law enforcement through a portable fingerprint reader as **MARCUS FOSTER** (“**MARCUS**”) and **CAPRICE FOSTER** (“**CAPRICE**”) respectively. **MARCUS** and **CAPRICE** were each charged with trespass and false identification to a law enforcement officer by the Fairfax County Office of the Commonwealth Attorney.

5. Upon the arrest of **MARCUS** and **CAPRICE**, opened and unopened U.S. mail reflecting the names and addresses of residents in Virginia who are not **MARCUS** and **CAPRICE** were found in **MARCUS** and **CAPRICE**’s possession. **MARCUS** requested to bring a bag containing these materials with him upon his arrest and was informed the bag would be searched if **MARCUS** elected to bring it to the station. After being informed of this,

**MARCUS** persisted in his request to bring the bag with him. During the search of the bag, officers found documents including financial records, newly issued government identification, photocopies of identification cards, loan applications, and negotiated personal and commercial checks, mostly in names other than **MARCUS** and **CAPRICE**.

6. On October 22, 2019, FCPD detectives conducted an audio and video recorded interview of **MARCUS** at the Reston District Station. After being advised of his Miranda rights, **MARCUS** voluntarily agreed to speak with detectives. **MARCUS** admitted he and **CAPRICE** had impersonated individuals identified as E.G. and N.N. in order to financially qualify for the lease of the residence at 1281 Serenity Woods Lane.

7. **MARCUS** further admitted that he had recently, on two different occasions, “found” unattended U.S. Postal Service (“USPS”) mail bins filled with undelivered mail in the Great Falls area of Fairfax County. **MARCUS** told detectives that he and **CAPRICE** decided to take mail from the bins and access and use personal and financial information gained from the stolen mail to qualify for housing as his family had recently been without a fixed residence. FCPD conducted a search of 1281 Serenity Woods Lane with the consent of the owners and located three USPS mail bins and additional mail addressed to individuals other than **MARCUS** and **CAPRICE**.

8. **MARCUS** further explained in his recorded interview with detectives how he and **CAPRICE** chose an unoccupied property that had been listed for sale located at 634 Innsbruck Ave, Great Falls, VA 22066 (“634 Innsbruck Avenue”) as a place to have mail delivered, as they knew from experience in real estate it would likely continue to be vacant due to the listed asking price and the extended time the property had been on the market. **MARCUS** described 634 Innsbruck Avenue as an example of an address used by **MARCUS** and



**CAPRICE** when assuming the financial and personal identity of others. **MARCUS** told FCPD that he and **CAPRICE** had fraudulent mail correspondence directed to addresses like 634 Innsbruck Avenue that they knew to be vacant in order to allow them to discretely retrieve said mail.

9. On November 1, 2019, following **MARCUS** and **CAPRICE**'s arrest, investigators contacted the property owner of 634 Innsbruck Avenue, who advised that no one had ever occupied the property and nobody should be receiving mail there. The 634 Innsbruck Avenue mailbox is located curbside on a sparsely traveled residential road convenient for both lawful residents and criminals to be able to access quickly without having to exit a vehicle. These 634 Innsbruck Avenue characteristics are shared with multiple other Fairfax County addresses investigators have linked to **MARCUS** and **CAPRICE**'s scheme.

#### **The Fraud Scheme**

10. Your affiant has probable cause to believe that **MARCUS** and **CAPRICE** unlawfully obtained and utilized personal identifiers such as social security numbers and dates of birth to open fraudulent financial accounts and used vacant addresses to receive mail related to the fraudulent accounts. Once accounts were approved, financial institutions frequently used the USPS to mail account opening documents to include checks, debit cards, and credit cards to the vacant properties **MARCUS** and **CAPRICE** listed as their address of record. **MARCUS** and **CAPRICE** would then retrieve the items once delivered at the vacant residences' curbside mailboxes. The USPS, unless otherwise specified, generally delivers properly addressed mail.

11. While **MARCUS** and **CAPRICE** utilized unoccupied residences in Fairfax County to receive mail for financial accounts they fraudulently opened, they also stole mail directly from other Fairfax County residents. Many of the documents recovered during

**MARCUS** and **CAPRICE**'s arrest on October 22, 2019 consisted of stolen mail. Investigators have spoken with several of the individuals identified on the mailings who reported placing checks in their mailboxes that never reached the intended destinations. At least some of those checks were altered and/or negotiated into accounts that investigators determined were under **MARCUS** and **CAPRICE**'s control, as described below.

12. Investigators have also made contact with mail theft victims who had unsolicited "convenience checks" sent to them by their financial institutions that were stolen from their mailboxes and negotiated into fraudulent accounts under **MARCUS** and **CAPRICE**'s control. "Convenience checks" are typically unsolicited blank checks mailed by credit card issuers to account holders that may be used for cash advances, to make new purchases, or to pay off balances on other cards. Given their frequently unsolicited nature, mail theft victims often had no knowledge of the checks until they reviewed their account statements (if the checks had been successfully negotiated) or were contacted by their financial institutions. Investigators spoke with a number of Fairfax County residents whose blank "convenience checks" were stolen and deposited into fraudulently established accounts that were under **MARCUS** and **CAPRICE**'s control. **MARCUS** also has been observed on bank security cameras inside a branch depositing a "convenience check" into a fraudulent account.

#### **Probable Cause**

13. On January 8, 2017, **MARCUS** incorporated The Foster Investment Group LLC as a "real estate consulting and real estate transactions" company and listed the address as 12744 Wisteria Drive Unit 3006, Germantown MD, 20874, which has been determined to be the Germantown Post Office, PO Box 3006.



14. Between August 8, 2017, and August 5, 2019, **CAPRICE** was employed by Hilton Grand Vacations (“HGV”) located in Washington, D.C.

*Identity Theft Victim G.M.*

15. In June 2018, Gloria Moffett (“G.M.”) traveled to Washington D.C. to vacation at her HGV timeshare. While attending a timeshare presentation where she had the opportunity to upgrade her membership, she was approached by a sales representative who was later identified as **CAPRICE**. **CAPRICE** informed G.M. she was a member of the same sorority as G.M. G.M. thought **CAPRICE** resembled her nephew’s wife and as a result G.M. took **CAPRICE**’s picture after **CAPRICE** gave her permission.<sup>1</sup> G.M. did not upgrade her timeshare, but she did apply for an HGV branded American Express credit card.

16. Credit card applications typically include an applicant’s personal identifiers to include social security number and date of birth. G.M. informed investigators she signed this credit card application that she believes to have been pre-filled for her and then provided it to HGV representatives. G.M. also informed investigators that applying for a time share is similar to applying for a mortgage in that HGV possess all of G.M.’s personal identifying information and the staff at HGV had access to that information.

17. On August 25, 2018, **MARCUS** and **CAPRICE** fraudulently used G.M.’s identity to start a lease at 7480 Birdwood Avenue, Apt 325, McLean, VA 22102 (“7480 Birdwood Avenue”).<sup>2</sup> Property management at the apartment building located at 7480

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<sup>1</sup> G.M. provided the government with the picture she took of the HGV sales representative. The subject in the picture matches the Maryland driver’s license photo of **CAPRICE**. Additionally, the picture of the subject is sitting behind a desk with HGV documents in front of her and the name “Caprice” is handwritten on the documents.

<sup>2</sup> On October 22, 2019, during FCPD’s arrest of **MARCUS** and **CAPRICE**, documents related to this address were found in **MARCUS** and **CAPRICE**’s possession.

Birdwood Avenue, known as The Kingston, provided investigators with a lease application, lease contract, and proof of income purportedly submitted by G.M for Apartment 325.

18. The fraudulent electronic lease application listed G.M.'s name, date of birth, and the email address moffettgloria6@gmail.com. The Foster Investment Group was also listed as G.M.'s employer and **MARCUS** was listed as her supervisor. The lease contract lists G.M. as the "resident" and "occupants" are listed as M.W. and Ameena Whitley ("Ameena"), who I have identified as **CAPRICE**'s daughters.

19. **MARCUS** and **CAPRICE** accrued approximately \$20,000 in delinquent rent and utility charges at 7480 Birdwood Avenue in G.M.'s name and credit before they were evicted. On April 16, 2019, the occupants of 7480 Birdwood Avenue were served with a writ of eviction in G.M.'s name.

20. On August 27, 2018, Chime bank account ending in 2856 ("Chime account - 2856") was opened with G.M.'s name, date of birth, social security number, and the physical address 634 Innsbruck Avenue, Great Falls, Virginia, 22066.<sup>3</sup>

21. Chime account -2856 was primarily funded by transfers from a Chime account in **CAPRICE**'s name and transfers from a Zelle account that was established in the name William Goldring ("W.G.") without W.G.'s knowledge or authorization. Between May 1, 2019, and September 7, 2019, there were approximately 23 transfers from a Chime account in **CAPRICE**'s name and deposited into Chime account -2856. Additionally, between May 25, 2019 and June 9, 2019, there were eight transfers from a Zelle account in W.G.'s name and deposited into Chime account -2856.

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<sup>3</sup> The property owner confirmed this address has never been lived in and was vacant in 2019. This is also the address **MARCUS** admitted to using to retrieve mail in his interview with FCPD.



22. On March 6, 2020, W.G. was interviewed by investigators and identified as a victim of identity theft. W.G. stated that he did not create, use, or have any knowledge of a Zelle account in his name.

23. On April 2, 2020, G.M. was interviewed by investigators. G.M. told investigators that she did not create, use, or have any knowledge of the email address moffettgloria6@gmail.com. G.M. stated that she has never lived in Virginia and was not familiar with the Innsbruck Avenue address in Great Falls. G.M. stated that she also was not familiar with the Birdwood Avenue address in McLean and had not applied for a lease at that location. G.M. told investigators that she did not open, use or have any knowledge of Chime account -2856. G.M. further stated that she did not authorize anyone to open a bank account using her personal identifying information.

***Identity Theft Victims B.G. and L.G.***

24. In November 2018, Benjamin Griffith (“B.G.”) and Leah Griffith (“L.G.”) traveled to Washington D.C., with their parents, Amy Griffith (“A.G.”) and Guy Griffith (“G.G.”), to stay at HGV. During this visit, A.G. and G.G. attended an HGV timeshare meeting where they met **CAPRICE**. B.G. and A.G. did not attend this meeting, nor had they attended any previous timeshare meetings. While at the meeting, **CAPRICE** convinced A.G. and G.G. to add their children, B.G. and L.G., to the timeshare deed. **CAPRICE** claimed it was necessary for B.G. and L.G. to bring **CAPRICE** their identification cards and sign paperwork to complete the addition to the timeshare deed. B.G. and L.G. did as requested and **CAPRICE** made copies of their driver’s licenses. Additionally, B.G. and L.G. provided **CAPRICE** with their social security numbers.

25. On January 30, 2019, email address bennygriffith98@gmail.com was used to open Navy Federal Credit Union credit card account ending in 9861 (“NFCU credit account -



9861"). NFCU is a federally insured financial institution with accounts insured by the National Credit Union Share Insurance Fund. NFCU credit account -9861 was created online with L.G.'s name, social security number, date of birth, and the address 7480 Birdwood Avenue in McLean, Virginia.<sup>4</sup> Additionally, **CAPRICE**'s daughter, Aameena, was listed on the NFCU credit account -9861 as an authorized user, and it was connected to a Capital One credit card account ending -0684 in B.G.'s name that B.G. told investigators he did not open.

26. On January 31, 2019, NFCU checking account ending in 4214 ("NFCU account -4214") and NFCU savings account ending in 7358 ("NFCU account -7358") were opened online using L.G.'s name, date of birth, social security number, the email address bennygriffith98@gmail.com, and the physical address 7480 Birdwood Avenue in McLean, Virginia.

27. On January 10, 2019, First National Bank account ending in 0584 ("First National Bank account -0584") was opened using L.G.'s date of birth, social security number, and the address 7480 Birdwood Avenue. First National Bank is a federally insured financial institution with accounts insured by the Federal Deposit Insurance Corporation ("FDIC").

28. On January 25, 2019, check number 102 from L.G.'s First National Bank account -0584 was deposited into **CAPRICE**'s USAA account ending in 4482. The check was dated January 24, 2019, and made payable to **CAPRICE**'s daughter Aameena in the amount of \$1850.

29. On April 5, 2019, a payment of \$5,600 was made toward NFCU credit account -9861 with a check from First National Bank account -0584. The maker of the check is listed

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<sup>4</sup> On August 25, 2018, as stated above, **MARCUS** and **CAPRICE** fraudulently used G.M.'s identity to start a lease at this address.

as L.G. with the address 7480 Birdwood Avenue. On April 6, 2019, a payment of \$5,111.50 was made from NFCU credit account -9861 to The Kingston<sup>5</sup>.

30. On April 8, 2019, a check from First National Bank account -0584 for \$5,600 was deposited into NFCU account -4214. Also, on April 8, 2019, \$2,450 was transferred from NFCU account -4214 and deposited as a payment into NFCU credit account -9861. On April 9, 2019, a payment of \$2,111.87 was made from NFCU credit account -9861 to The Kingston.

31. Of the three checks from First National Bank account -0584 that were deposited into NFCU credit account -9861 and NFCU account -4214, one was reversed due to its connection to fraudulent activity, and the other two were reversed due to the closure of First National Bank account -0584.

32. On May 8, 2020, B.G., L.G., and A.G. were interviewed by investigators. B.G. and L.G. told investigators that they did not create, use, or have any knowledge of the email address bennygriffith98@gmail.com. . B.G. and L.G. stated they have never lived in McLean, Virginia. B.G. and L.G. also told investigators that they did not open, use, or have any knowledge of accounts in their names at NFCU, First National Bank, or Capital One. B.G. and L.G. further stated they did not authorize anyone to open a bank account or credit card account using their personal identifying information, other than joint accounts created with their parents. A.G. informed investigators she has not opened any accounts in L.G. or B.G.'s names at NFCU, First National Bank, or Capital One.

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<sup>5</sup> As stated above, The Kingston is the apartment building where **MARCUS** and **CAPRICE** obtained a lease in G.M.'s name by using G.M.'s identity without G.M.'s knowledge or permission.



*Identity Theft Victim N.N.*

33. As mentioned above, on October 22, 2019, **CAPRICE** identified herself to law enforcement as N.N. Shortly after this, N.N. was identified by investigators as a real person and a victim of identity theft.

34. In August 2018, N.N. traveled to Washington D.C. to stay at the Capital Hilton and tour HGV, with the intention of purchasing a timeshare. **CAPRICE** was N.N.'s point of contact for the timeshare application and made copies of her identification cards.

35. On July 20, 2019, Ally Bank account ending in 6262 ("Ally account -6262") and Ally Bank savings account ending in 6277 ("Ally account -6277") were opened online using N.N.'s name, social security number, date of birth, and a copy of her driver's license. Ally Bank is a financial institution insured by the FDIC. The physical address 634 Innsbruck Avenue, Great Falls, Virginia, 22066, and the email address nancyness58@gmail.com were also associated with the account.<sup>6</sup>

36. On July 29, 2019, an altered cashier's check from JPMorgan Chase made payable to N.N. for \$25,000 was deposited into Ally account -6262. On July 31, 2019, Ally account -6262 was connected to a PayPal account. On August 1, 2019, the \$25,000 cashier's check was deemed fictitious and reversed because this JPMorgan Chase cashier's check was originally written for \$5. JPMorgan Chase is insured by the FDIC. On August 2, 2019, Ally Bank initiated the closure of Ally account -6262 due to the fraudulent activity.

37. On March 26, 2020, N.N. was interviewed by investigators. N.N. stated that she has never lived in Virginia and was not familiar with the Innsbruck Avenue address in Falls

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<sup>6</sup> This is the same vacant address that was used to fraudulently open Chime account -2856 in G.M.'s name and **MARCUS** admitted during his voluntary interview with FCPD to using this address to receive mail connected to fraud.

Church, nor did she create, use, or have any knowledge of the email address nancyness58@gmail.com. N.N. also told investigators that she did not open, use, or have any knowledge of Ally account -6277 or Ally account -6262. N.N. further stated that she did not authorize anyone to open a bank account using her personal identifying information.

***Identity Theft Victim R.D.***

38. In April 2019, Ruth Dennis (“R.D.”) and her husband, Lawrence Dennis (“L.D.”) traveled to Washington D.C. to stay at the HGV with the intention of purchasing a timeshare. **CAPRICE** was R.D. and L.D.’s point of contact for the timeshare application. **CAPRICE** separated R.D. and L.D. for this process and made several copies of their social security cards, drivers’ licenses, and L.D.’s military identification.

39. On August 20, 2019, an account at SunTrust Bank, an FDIC-insured financial institution, ending in 2111 (“SunTrust account -2111”) was opened with R.D.’s name, date of birth, social security number, the email address dennisruth0105@gmail.com, and the physical address 1202 Ballantrae Lane, McLean, Virginia, 22101.<sup>7</sup>

40. On August 21, 2019, a “convenience check” from a Citi Bank credit card account in the name of Hae-Chan Park (“H.P.”) for \$4,580, made payable to R.D., was deposited into SunTrust account -2111 at a SunTrust branch in Great Falls, Virginia. Video surveillance shows a male subject matching **MARCUS**’s driver’s license photo depositing the check into the account created in R.D.’s name.

41. H.P. was interviewed by investigators on June 22, 2020. H.P. stated that he did not authorize anyone to utilize the convenience check associated with his Citi Bank credit card.

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<sup>7</sup> Between 2017 and 2020, this address was vacant. On October 31, 2018, **CAPRICE** listed a neighboring address, 1181 Ballantrae Lane, as her own on an application for a Post Office Box with USPS.



H.P. said he rarely uses the card and only became aware of the transaction in October 2019 when he checked his statement. H.P. reported the transaction to Citi as fraudulent and stated he did not recognize the signature on the check nor know anyone named Marcus Foster or R.D.

42. On August 26, 2019, Apple Federal Credit Union bank account ending in 0266 (AFCU account -0266) was opened online with R.D.'s name, date of birth, social security number, and a copy of R.D.'s driver's license. The physical address 1202 Ballantrae Lane, McLean Virginia, 22101, and the email address dennisruth0105@gmail.com were also associated with the account. AFCU is federally insured by the National Credit Union Administration ("NCUA").

43. On August 28, 2019, a loan for \$10,000 in R.D.'s name was obtained from AFCU and deposited into AFCU account -0266. The email address dennisruth0105@gmail.com was listed on the loan application.

44. On March 23, 2020, R.D. was interviewed by investigators. R.D. stated that she has never lived in Virginia and was not familiar with the Ballantrae Lane address in McLean, nor did she create, use or have any knowledge of the email address dennisruth0105@gmail.com. R.D. also told investigators that she did not open, use, or have any knowledge of SunTrust account -2111 or AFCU account -0266. Additionally, R.D. informed investigators she has never applied for a loan from AFCU. R.D. further stated that she did not authorize anyone to open a bank account or apply for a loan using her personal identifying information.

***Identity Theft Victim E.G.***

45. On October 22, 2019, as mentioned above, **MARCUS** identified himself as E.G. Shortly after, E.G. was identified by investigators as a real person and a victim of identity theft.

46. In summer 2019, E.G. was interested in expanding his landscaping business and his uncle recommended **CAPRICE** to assist with the expansion of his business. E.G. spoke with **CAPRICE** on the phone and **CAPRICE** suggested securing a line of credit for E.G.'s business and informed E.G. that her associate could assist him in this process. Shortly after E.G.'s conversation with **CAPRICE**, E.G. received a phone call from **CAPRICE**'s associate who identified himself as a business consultant by the name of Mark Cox ("Cox").

47. E.G. believed "Cox" was a loan officer and was assisting him with obtaining a business line of credit. "Cox" informed E.G. that, unlike other clients of "Cox," E.G. would not be charged upfront for "Cox's" services due to his uncle's recommendation of **CAPRICE**. At "Cox's" request, E.G. provided "Cox" with his driver's license and social security information. Additionally, E.G. emailed "Cox" a copy of his driver's license and social security card.

48. Shortly after E.G. provided "Cox" with his personal information, E.G. started receiving phone calls from financial institutions about unusual activity in new accounts that he did not open. E.G. contacted "Cox" in reference to the newly opened financial accounts and at first, "Cox" advised E.G. not to answer the phone or return any calls to the financial institutions. When E.G. directly asked "Cox" if "Cox" opened the accounts in E.G.'s name, "Cox" confirmed he did so but for E.G.'s benefit. This seemed suspicious to E.G. and E.G.'s uncle advised him to cease all contact with "Cox" as E.G.'s uncle believed **MARCUS** was falsely portraying himself as "Cox."<sup>8</sup> E.G. never received a business line of credit or any benefit from the accounts "Cox" opened in his name.

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<sup>8</sup> **MARCUS**'s mother's maiden name is Cox.



49. On June 8, 2020, investigators spoke with E.G.'s uncle who advised he has known **CAPRICE** for over 20 years. E.G.'s uncle stated he frequently received phone calls from **CAPRICE** asking for money due to pending evictions. E.G.'s uncle stated he was aware **CAPRICE** obtained housing in other people's names in Virginia and after failing to pay rent, **CAPRICE** would eventually be evicted from said residences.

50. On September 26, 2019, Alliant Credit Union ("Alliant") account ending in 9793 (Alliant account -9793) was opened online with E.G.'s name, date of birth, social security number, and a copy of E.G.'s driver's license and social security card. The physical address 909 Constellation Drive, Great Falls, Virginia, 22067, and the email address elliotgray1183@gmail.com was also associated with the account.<sup>9</sup> Alliant is federally insured by the NCUA.

51. On October 11, 2019, a "convenience check" for \$6,300 written from a JPMorgan Chase credit account in the name of Joseph Howard ("J.H."), and made payable to E.G., was deposited into Alliant account -9793. Alliant placed a hold on the check because of suspected fraud. A man claiming to be E.G. called Alliant several times requesting for the hold to be removed. Each time the individual claiming to be E.G. called Alliant, his explanation about the check changed. On November 12, 2019, Alliant account -9793 was closed and Alliant held the \$6,300. Later, JPMorgan Chase confirmed to Alliant that the \$6,300 check from J.H.'s account was fraudulent.

52. On November 5, 2019, J.H. was interviewed by investigators and J.H. was identified as a mail theft victim. J.H. informed investigators he did not have any knowledge of the "convenience check" written from his JPMorgan Chase credit card account until he was

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<sup>9</sup> This property was under construction as a new build in 2019 and vacant until the end of 2019.

notified by law enforcement. On June 10, 2020, J.H. was again interviewed by investigators and stated JPMorgan Chase refunded the \$6,300 charge to his credit card in December 2019. J.H. told investigators he was not familiar with E.G. and had no reason to give E.G. money.

53. On March 18, 2020, E.G. was interviewed by investigators. E.G. stated that he has never lived in Virginia. He also stated he was not familiar with the Constellation Avenue address in Great Falls, nor did he create, use, or have any knowledge of the email address [elliottgray1183@gmail.com](mailto:elliottgray1183@gmail.com). E.G. also told investigators that he did not open, use, or have any knowledge of Alliant account -9793. E.G. further stated that he did not authorize anyone to open a bank account using his personal identifying information.

**Probable Cause to Believe the Scheme is Ongoing**

54. Your affiant has observed suspected fraudulent financial mail addressed to the previously mentioned 1202 Ballantrae Lane address as recently as June 2020. Additional addressee recipient names include Dawn Toczala (“Dawn”), Daniel Toczala (“D.T.”) and Jason Thomas (“J.T.”).

55. Investigators also became aware of a Change of Address (“COA”) filed with the USPS by a “Daniel C. Toczala” on March 14, 2020, requesting mail be forwarded from 1202 Ballantrae Lane to 9410 Piscataway Lane, Great Falls, VA 22066 (“9410 Piscataway Lane”). The requester provided the email address [Daniel.Toczala@yahoo.com](mailto:Daniel.Toczala@yahoo.com) on the online COA request. Payment for the COA was made with a JP Morgan Chase Visa card ending in -0947 (“JPMC Visa -0947”). On April 14, 2020, the same JPMC Visa -0947 was used for transactions at the McLean Post Office. One of those transactions was to renew a PO Box and was conducted by a person matching **MARCUS**’s driver’s license image. Investigators were



previously aware of a P.O. Box opened by **CAPRICE** at the McLean Post Office which was set to close April 30, 2020 unless otherwise renewed.

56. On June 8, 2020, investigators made contact with "D.T.," who is married to Dawn and resides in Texas. D.T. stated that neither he or Dawn had any familiarity with the Ballantrae Lane address in McLean, Virginia, or the Piscataway Lane in Great Falls, Virginia. D.T. further stated he did not file, or authorize anyone else to file, a COA on his behalf. D.T. also said he has no association or familiarity with the email address Daniel.Toczala@yahoo.com.

57. D.T. reported noticing unauthorized financial accounts on his credit report beginning in the spring of 2020. D.T. said that he requested his credit be frozen after he learned about unauthorized accounts opened in his name. Investigators have identified a First National Bank account -0303 that was opened in D.T.'s name on June 4, 2020, and associated with the 1202 Ballantrae Lane address. D.T. said he and his wife had not authorized anyone to open accounts in their names.

58. D.T. said that prior to being contacted by investigators, he and his wife were not aware of fraudulent activity associated with Dawn Toczala's identifiers. Investigators have identified a fraudulent account associated with Dawn Toczala's identifiers at JPMorgan Chase, ending in -5972. An individual who falsely identified himself as Jason Thomas provided a check from this account for \$10,000 in an attempt to secure a lease on a rental property in McLean, Virginia in May 2020. The address for Dawn Toczala listed on the check is 1202 Ballantrae Lane. Law enforcement provided a picture of MARCUS to the realtor who interacted with the individual who identified himself as Jason Thomas and

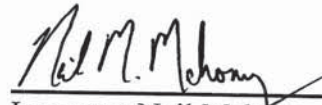
inquired if the realtor recognized the individual. The realtor identified the person depicted in the photograph as the individual she knew as Jason Thomas.

### **Conclusion**

From at least the summer of 2018 through the present, within the Eastern District of Virginia and elsewhere, I submit there is probable cause to believe that **MARCUS** and **CAPRICE** have conspired to defraud federally-insured financial institutions by using numerous victims' personal identifying information without their authorization to fraudulently open financial accounts, conduct fraudulent transactions using those accounts, and obtain loans under victims' identities, in violation of 18 U.S.C. § 1349.



Respectfully submitted,



Inspector Neil Mahoney  
United States Postal Inspection Service

Subscribed and sworn to in accordance with  
Fed. R. Crim. P. 4.1 by telephone on July \_\_, 2020.

John F.  
Anderson

Digitally signed by John F. Anderson  
Date: 2020.07.07 13:04:50 -04'00'

Hon. John F. Anderson  
United States Magistrate Judge